

**Town Council Minutes
Morehead City, North Carolina**

Monday, October 20, 2014

The Honorable Council of the Town of Morehead City met in Regular Session on Monday, October 20, 2014, at 5:30 p.m., in the Municipal Chambers located at 202 South 8th Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	George W. Ballou
COUNCIL:	William F. Taylor [Absent]
	Demus L. Thompson
	Harvey N. Walker, Jr.
	Diane C. Warrender
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III; Derek Taylor; Mike Thomas
OTHERS:	Police Chief Wrenn Johnson, Haywood Wilder, Neal

Nelson, Kelly Guthrie, Bernette Morris, Planning Director Linda Staab, David T. Willis, II, David Freshwater, Walter Kittrell, John H. Grayson, Howard Garner, Peggy Garner, Eric Broyles, Walter H. Compton, Chuck Sewell, Jane Sewell, John Rouse, Ralph Nitt, Alex Nitt, Ed Bailey, Chris Moore, Mark Hibbs, Reporter, THE CARTERET NEWS TIMES, and several others

I. Regular Meeting Call to Order, Invocation and Pledge of Allegiance

Mayor Jones called the meeting to order at 5:30 p.m. Councilman Thompson gave the invocation and all joined in The Pledge of Allegiance.

Mayor Jones announced that Councilman Taylor would be absent this evening due to a prior engagement.

II. Special Presentation: Resolution of Sympathy in Remembrance of Police Officer Christina Della Cava

The Town of Morehead City strives to honor those who have performed exemplary service for the betterment of its citizens. Christina Della Cava, who passed away on July 13, 2014, was a member of the Morehead City Police Department. She began her career on October 10, 2011, as Police Officer I. She will be remembered by her brothers and sisters in blue for her smile, joy, laughter, energy and compassion. Mayor Jones presented the Resolution of Sympathy to members of the Morehead City Police Department.

III. Adoption of the CONSENT AGENDA:

III.A. Approval of Minutes: Tuesday, September 9, 2014 – Regular Meeting

Approved the minutes of Tuesday, September 9, 2014, and dispensed with the reading.

III.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for September 2014 in the amount of \$38.45; and Accept the Tax Collector and Finance Director Reports for September 2014

Approved the requests for release of overpayment of Ad Valorem Taxes for September 2014 in the amount of \$38.45; and accepted the Tax Collector and Finance Director Reports for September 2014. [Financial Reports are attached to and made a part of these minutes herein by reference.]

III.C. Approve Agreements with the North Carolina Department of Transportation [NCDOT] and the Town of Morehead City for Mowing and Sweeping Reimbursement

Presented are two [2] contracts between the Town of Morehead City and the North Carolina Department of Transportation [NCDOT] for reimbursement from the state for certain services done by the City. One [1] contract relates to NCDOT requesting the City perform routine and/or cleanup mowing of vegetation within the rights-of-way of certain state

maintained routes. NCDOT will reimburse the City for the actual cost for labor and equipment not to exceed a maximum amount of \$4,000 for up to six [6] mowing cycles per year. The second agreement is for routine sweeping of the curb and gutter along Arendell Street from the western City limit to the fence at the State Port. NCDOT will reimburse the City for the actual cost for labor and equipment not to exceed a maximum amount of \$3,700 for up to six [6] sweeping cycles per year. The Public Works Committee reviewed the proposed agreements.

Approved the Agreements with the North Carolina Department of Transportation [NCDOT] and the Town of Morehead City for Mowing and Sweeping Reimbursement. [The contracts are attached to and made a part of these minutes herein by reference.]

III.D. Adopt Memorial Resolution 2014-42 in Remembrance of Police Officer Christina Della Cava who passed on July 13, 2014

Adopted Memorial Resolution 2014-42 in Remembrance of Police Officer Christina Della Cava who passed on July 13, 2014. [Resolution 2014-42 is attached to and made a part of these minutes herein by reference.]

III.E. Adopt Three [3] Budget Ordinance Amendments:

Budget Ordinance Amendment 2014-36 for Various Items

The purpose of this amendment is to adjust the budget in the General Fund as follows:

- ⑤ To increase the Central Services budget by \$4,800 for City Hall maintenance in the Planning Department.
- ⑤ To increase Transfers to Other Funds for \$33,000 to be transferred to the School Building Acquisition/Improvement Capital Project Fund for the estimated costs of a structural assessment for the Charles Wallace Building.
- ⑤ To decrease Transfers to Other Funds by \$136,350. This amount was included in the initial FYE June 30, 2015 budget to fund three [3] new positions in the Fire/EMS Fund beginning in October 2014. These positions (plus 6 more) will be funded from Wildwood District charges for services and increased ambulance fees instead of the General Fund transfer.
- ⑤ Increase Contingency by \$98,550, the net amount of the above three [3] items.

The purpose of this amendment is to adjust the budget in the Fire/EMS Fund as follows:

- ⑤ Recognize increased revenue and expenditures for assumption of Fire/EMS services to the Wildwood District in the amount of \$436,500 to be paid by Carteret County and estimated increased ambulance fees in the amount of \$75,000.
- ⑤ Increase revenue and expenditures by \$1,675 for insurance reimbursement for vehicle damages during a recent rain/flooding event.
- ⑤ Decrease Transfers from General Fund in the amount of \$136,350 initially budgeted for 3 new positions scheduled to begin in October, 2014. Funding for these positions, plus 6 more, is included in the first item of this budget amendment and the General Fund transfer will not be necessary. Expenditures are reduced by the same amount.

Budget Ordinance Amendment 2014-37 for School Property Acquisition/Improvements Capital Project Fund

The purpose of this amendment is to update the budget as follows:

- ⑤ Increase Transfers from General Fund and Wallace School Building Improvement expenditures by \$33,000 for the estimated cost of the structural assessment for the Charles Wallace Building.

Budget Ordinance Amendment 2014-38 for Water and Sewer Extensions/Improvements Capital Project Fund

The purpose of this amendment is to adjust the budget as follows:

- ⑤ Increase interest income \$3,201 to reflect additional earnings in the fund.
- ⑤ Reduce Contributed Capital-Morgan St. by \$16,036 to reflect actual revenue received by the developer and decrease Morgan St. expenditures by \$11,036.

- ⑤ Recognize Rural Center grant funds of \$40,000 received related to The Vinings at Wildwood project and decrease Contributed Capital-Vinings at Wildwood by the same amount.
- ⑤ Decrease Contributed Capital-Vinings by \$3,888 to reflect actual revenue received by the developer and decrease The Vinings related expenditures by \$13,560 to reflect actual project costs.
- ⑤ Adjust the amount reserved for future appropriation as follows:
 - Increase by \$3,201 for additional interest income received
 - Decrease by \$5,000 for Town funding of Morgan St. improvements
 - Increase by \$9,672 for revenue and transfers related to The Vinings that exceeded project costs

The Finance Committee of the Council reviewed the proposed budget amendments and recommended adoption.

Adopted Budget Ordinance Amendment 2014-36 for Various Items, adopt Budget Ordinance Amendment 2014-37 for School Property Acquisition/Improvements Capital Project Fund and Budget Ordinance Amendment 2014-38 for Water and Sewer Extensions/Improvements Capital Project Fund. [Budget Ordinance Amendments 2014-36, 2014-37 and 2014-38 are attached to Ordinance Book #7 in the vault.]

III.F. Award Contract No. 87 – 2014 Sanitary Sewer Improvements [Sewer & Water Concrete] to the Low Bidder, KBS Construction Company, in the Amount of \$88,620.00

On September 30, 2014, the following bids were received for Contract No. 87 – Sanitary Sewer Improvements:

KBS Construction Company	\$	88,620.00
Sunland Builders	\$	94,975.00
James L. Cayton Utilities, Inc.	\$	96,800.00
Thomas Simpson Construction	\$	99,341.78
Bear Contracting	\$	137,655.00

The award is recommended to KBS Construction Company in the amount of \$88,620.00. The Public Utilities Committee of the Council reviewed the bids.

Award Contract No. 87 – 2014 Sanitary Sewer Improvements [Sewer & Water Concrete] to the Low Bidder, KBS Construction Company, in the amount of \$88,620.00, contingent upon review and approval by the City Attorney

Councilman Walker MOVED, seconded by Councilman Thompson, and carried unanimously [Councilman Taylor absent], to adopt the CONSENT AGENDA with one [1] motion.

IV. Public Hearing: Voluntary Contiguous Annexation Request for Williams Family Properties, LLC [Al Williams] for property located at 5192 Highway 70, .64 acres, PIN #6356-1287-1208-000 and Part Lot 41 Lot 43 Industrial Park, .133 acres, PIN #6356-1287-0422-000, zoned CH [Highway Commercial] District – Adopt Ordinance 2014-33

Planning Director Linda Staab reported that the properties under consideration for annexation are contiguous to the present City limits, contain approximately 0.77 acres and are zoned CH [Highway Commercial] District. The current tax value is estimated to be \$359,587. Based on a \$0.33 tax rate, \$1,186.64 in tax revenues would be generated. Water and sewer will be accessed from Highway 70 and Industrial Drive. All costs associated with extending the water/sewer service to the newly annexed property will be the responsibility of the owner. The Planning Committee reviewed the proposed annexation.

Mayor Jones opened the public hearing. No one spoke for or against the annexation request.

Mayor Jones closed the public hearing.

Councilman Thompson MOVED, seconded by Councilwoman Warrender, and

carried unanimously [Councilman Taylor absent], to adopt Ordinance 2014-33 granting Voluntary Contiguous Annexation for Williams Family Properties, LLC [Al Williams] for property located at 5192 Highway 70, .64 acres, PIN #6356-1287-1208-000 and Part Lot 41 Lot 43 Industrial Park, .133 acres, PIN #6356-1287-0422-000, zoned CH [Highway Commercial] District. [Ordinance 2014-33 is attached to Ordinance Book #7 in the vault.]

V. Unfinished Business:

V.A. Award Otis Landing [Jib Property] Bids to the Low Bidder, T.D. Eure in the Amount of \$300,000

At the July 8, 2014 Council Meeting the Council was advised that the bids on Phase II of the Jib Project were all over budget and that the City could not pare down the price to the funds available. At that time the Council rejected all the bids and authorized the City staff to make the necessary changes to rebid the project.

On October 15, 2014, the following bids were opened:

DESCRIPTION	T D Eure	Primus Contracting, Inc
- Otis Landing – Framing and construction of new pile supported heavy timber deck with cross bracing	\$300,000	\$392,371

City staff recommended awarding the bid to T.D. Eure in the amount of \$300,000.

Councilman Ballou MOVED, seconded by Councilman Thompson, and carried unanimously [Councilman Taylor absent], to award the Otis Landing [Jib Property] Bids to the Low Bidder, T.D. Eure in the amount of \$300,000 for the framing and construction of new pile supported heavy timber deck with cross bracing at the Otis Landing [Jib Property] site.

V.B. Approve Contract with McDavid and Associates of Farmville, N.C. for Planning and Design of the Arendell Street Sidewalk Project from North 25th to North 35th Streets in the Amount of \$13,500 Contingent upon North Carolina Department of Transportation [NCDOT] Review and Approval

City Manager Whitlow reported that at the August 18, 2014 City Council Meeting approval was received to begin negotiating a contract with McDavid Associates of Farmville, N.C. for design services related to the Arendell St. sidewalk project. The project area begins at the terminus of existing sidewalk at the intersection of Taylor Street in front of Camp Glen School and will continue east to 25th Street where existing pavement/sidewalk exists. No sidewalks are to be removed, this project will fill in the gaps where sidewalk is nonexistent.

Funding for the project is through the Federal Highway Administration with the match provided by NCDOT. The project should be completely covered by federal and state funding. Material testing and construction engineering services are included in the funding up to 15 percent of the total construction cost. Any additional funding for this activity must be provided by the City. The tentative schedule is that the design work will occur during the first of the 2015 calendar year with plans and specifications ready to bid by June 30, 2015. A copy of the proposed agreement is attached.

Councilman Thompson commented about a specific area near the Carteret Hospital Imaging Center where the sidewalk needs to be mended.

Councilman Ballou MOVED, seconded by Councilwoman Warrender, and carried unanimously [Councilman Taylor absent], to award the design services for the 25th – 35th Arendell Street Sidewalk Project to McDavid Associates of Farmville, N.C., in the amount of \$13,500 contingent upon NCDOT review and approval.

VI. Citizen Requests/Comments: [2 minute time limit]

There were no citizen requests or comments.

VII. City Managers Report: Surplus Real Property Disposal Update

City Manager David Whitlow reported that the City has received no responses to the bid notices for the sale of three [3] surplus properties: 304 North 25th Street, 101 North 5th Street and 1706 Bay Street. The City did receive a proposal, however, it was not a cash transaction and, therefore, cannot be viewed as a viable offer. City staff will continue to explore other options for the disposal of these properties and it will be again reviewed by the Finance and Administration Committee for further discussion.

No action taken.

VIII. Council Requests/Comments:

Councilman Ballou thanked all City employees for helping in the success of the North Carolina Seafood Festival [NCSF]. He continued that he is always amazed at the dedication of the City employees who do their part during this time and knows that it is recognized by the NCSF Board of Directors.

Councilman Thompson added his thanks.

Mayor Jones recessed the meeting until 7:00 p.m.

IX. Discuss and Receive Comments on North Carolina Department of Transportation Option #3 for the Construction of Certain Medians on Arendell Street [Highway #70] in Morehead City and Possible Adoption of Resolution 2014-43 In Support of Option #3 for the Construction of Medians on Arendell Street [Highway #70] in Morehead City, N.C.

Mayor Jones reopened this portion of the meeting at 7:00 p.m. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	George W. Ballou
COUNCIL:	William F. Taylor [Absent]

Demus L. Thompson
Harvey N. Walker, Jr.
Diane C. Warrender

CITY MANAGER:	David S. Whitlow
---------------	------------------

CITY CLERK:	Jeanne M. Giblin
-------------	------------------

OTHERS:	Cecilia Pfaff, Sloane Pfaff, Rick Stevens, Larry
---------	--

Holler, Sharon Holler, Beth Stevens, Matthew Swiber, Chuck Sewell, M. J. Sewell, Carole Compton, Brenda Davies, Beth Parker Henry, Keith Henfy, Ruth Paxler, Howard Garner, Peggy Garner, Gary Ridgeway, John H. Grayson, Ray Cox, Gail Cox, Emily Lingelbach, Georgia Lingelbach, Alexander Nitt, Tracey Walker, Lee Styron, Linda Styron, Edwin P. Bailey, Gerardo Rodriguez, Merv Turnage, Jeff Turnage, Jessica Moore, Chris Moore, Gene Hollowell, Doris Hollowell, L. R. Blankenship, Alan Blankenship, Jason Gilliken, William N. Horton, Con T. McDonald, Chris Davies, Sally S. Lumpkin, Richard Harrell, Gerald Moore, Walter Compton, Don Ditto, Max Murphy, Ray Kittrell, Cathy Crowell, Glenn Gage, Walter Kittrell, David T. Willis II, David Freshwater, Dawn Newsom, Buddy Kittrell, Gail A. Mauro, Linwood Worthington, Jorinda Murphy, Susan W. Snyder, Brad Mercer, Eric Broyles, CFC, Guthrie Interiors, Melvin Bright, Vernon Hill, Richard Parker, Randall Parker, Lee Lumpkin, Ralph Nitt, John Rouse, Haywood Daughtry, Mark Hibbs, Reporter, THE CARTERET NEWS TIMES and several others.

Mayor Jones commented that a year or so ago the initial project was brought before the citizens of Morehead City. The proposal presented now is a much smaller version.

City Manager Whitlow reported [attached to and made a part of these minutes herein by reference is the City Manager's comments on US Highway 70 Improvements] that over the spring and summer he and the Planning Director met with identified persons and organizations that had expressed concerns both for and against the proposed options for design and construction of medians on Highway #70. These concerns were discussed with representatives of the Department of Transportation. In some instances the requests would be accommodated and in other instances not.

The proposed Option #3 is a greatly reduced program from what was originally proposed in 2012 and would alter traffic flows in only three [3] sections of the highway:

- ⑤ Immediately west and east of the intersection of Highway 70, Bridges Street Extension and Highway 24
- ⑤ A segment beginning at Rochelle Drive and extending east to a point just east of Mansfield Parkway
- ⑤ A segment beginning at Neuse Avenue and extending east to Friendly Road.

It was ascertained that NCDOT will not move forward with the project without the support of the Morehead City Council.

Mayor Jones reminded those in attendance that the public meeting this evening was so that the Council could receive comments and determine whether it wished to adopt a resolution supporting Option #3 or not.

The Council thanked Senator Norman Sanderson who was in the audience for representing the citizens in Raleigh.

Cecilia Pfaff of 4220 Sound Drive stated she has seen the traffic increase tremendously especially in the business area west of Sound Drive and the Savannah Drive intersection. She was interested in having a stoplight placed at the end of Savannah Drive. She was not interested in the median project, however, medians would be acceptable if it were part of the stoplight.

Gary Ridgeway of 4113 Sound Drive stated he has seen the increase in traffic along Arendell Street. He was against more stoplights and felt that the median would not solve the middle lane of Arendell Street from being used as a dragstrip. He was against the median project.

David Freshwater of 220 Roanoke Avenue said he owned a small shopping center in the vicinity of the proposed medians. He felt that the medians would damage every business along Arendell Street. He stated he went to Havelock [which has medians] and most businesses said the median has detrimentally affected them. He was also not sure if adding a stoplight would help. The projected plans also did away with the turning lane into his shopping center. He was against the median project.

Walter Compton of 4644 Arendell Street requested that the speed limit be lowered further west on Arendell Street. He questioned various sites where the median was to be placed. He commented that in his opinion, Option #3 was the best option for the median project.

Larry Holler of East Coast Square stated that 3,000 to 4,000 cars move between his medical buildings every day. These buildings were built to support the medical needs of the town. He cannot get emergency vehicles in and out of his parking lots due to the traffic on Arendell Street. Doctors do not want to practice in his facilities because of the inaccessibility of the ingress and egress. People who come to Morehead City for medical needs and education support the hotels and restaurants. He was for the median project.

Max Murphy of 216 Straits Drive, Beaufort, stated that medians cause more problems than they solve. He was of the opinion that the money could be better off spent for stoplights and drainage. He was against the median project.

Vernon Hill of 4010 Arendell Street stated he was totally against the medians. He stated that major business chains will pull out of Morehead City if the median project is done. He commented that he liked Melvin Bright's editorial in the Sunday edition of THE CARTERET NEWS TIMES.

Chris Davies of 4838 Arendell Street stated that the Highways 70 & 24 intersection was a nightmare. Another stoplight will get more wrecks. Dropping the speed limit to 35 will make a difference.

Con McDonald of 4205 Sound Drive stated he remembered when there were medians in Morehead City. The medians were removed because they caused traffic accidents. He stated he represented the residents of Sound Drive who were concerned that the street is only 18 feet wide. Savannah Drive is only 16 feet wide. Traffic should not be allowed into residential neighborhoods. He would like a stoplight at the end of Savannah Drive, but is against the median project.

Alex Nitt of 114 Sound Drive and 5032 Arendell Street stated he was against the medians in all of the variations. He hauls boats on Highway 70 and cannot make a U-turn. The medians would make it impossible to turn into Starling Marine safely. He was concerned that if the median project was done more traffic would enter Sound and Savannah Drives.

Sally Lumpkin of 4107 Sound Drive was opposed to the median project and stoplight. She stated if there was a stoplight at Savannah Drive, traffic will backup and will turn into the neighborhood to avoid the stoplight. She stated that the width of the streets in her neighborhood are too narrow for more traffic.

Ralph Nitt of 3615 Sunny Drive stated he would like to see the speed limit lowered from the Highways 70 & 24 intersection westward. He was against the medians.

Merv Turnage of 4010 and 4138 Arendell Street stated that the lower speed limit has helped and that the problem was ongoing traffic from Friendly Road to K-Mart. She proposed another stoplight to slow traffic down. The right lane of Arendell Street easily floods. She was against the median as it will hurt businesses. She spoke about visitors not knowing about the Bridges Street Extension and using it instead of Arendell Street. She said the medians in Havelock have hurt the businesses.

Gerardo Rodriquez of 4540 Arendell Street commented that he does a lot of business on Arendell Street and that the median would be inconvenient for the people. He drives a lot of trailers carrying equipment and it is difficult to turn and to enter onto Arendell Street. There is a dip going onto Friendly Road which needs to be fixed. He would be fine with another stoplight.

Jeff Turnage of 4138 Arendell Street stated he remembered when the median was removed many years ago. The medians would affect his business and other businesses. More stoplights are needed. He was against the median project.

Councilman Thompson stated that since the median project was presented he has not heard anyone for the medians. He continued that the people in Havelock are furious about the medians in their city and that many of the Havelock businesses are in the red due to the medians. He stated he appreciated the fine buildings and businesses that Larry Holler has brought to Morehead City. The NCDOT should do more about adding stoplights to control the traffic flow. He continued that the NCDOT should forget about the median project and do something for the safety of the citizens such as repairing the roads and fixing the drainage situation. He advocated that the money should be used to please the people who pay the taxes. He requested that the Council vote on the median project.

Councilman Thompson MOVED, seconded by Councilman Ballou, and carried unanimously [Councilman Taylor absent], that the Morehead City Council reject the options which have been presented to the Council on the median project for Arendell Street/Highway 70.

Eric Broyles of 904 North Yaupon Terrace requested the following with regard to the median project: Lower speed limit, rumble stops before stoplights, a stoplight at the main entrance to K-Mart, increased police patrols on Arendell Street and fix the center turn lane near K-Mart.

X. Adjournment

There being no further business, the meeting was adjourned at 8:20 p.m.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk